

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**PEACHRIDGE ENERGY
OPERATING, LLC,**

Plaintiff,

v.

BASIN ENGINEERING, LLC,

Defendant.

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CIVIL ACTION NO. 4:23-cv-1426

DECLARATION OF JAMES M. “MARTY” TRUSS

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am an attorney representing Peachridge Energy Operating, LLC (“Peachridge”) in its litigation against Basin Engineering, LLC (“Basin” or “Defendant”), in Texas.

2. On January 25, 2023, Peachridge filed Plaintiff’s Original Petition against Basin, in Cause No. 2023-0508, *Peachridge Energy Operating, LLC v. Basin Engineering, LLC*, in the 129th Judicial District Court, Harris County, Texas (the “Harris County Lawsuit”).

3. On February 10, 2023, I provided a courtesy copy of the Harris County Lawsuit via email to Basin’s counsel in Oklahoma, Mahaffey & Gore P.C., while completing formal service through the Texas Secretary of State.

4. On March 7, 2023, Defendant filed a separate lawsuit in Caddo County, Oklahoma for breach of the CSA and to foreclose a lien based on services performed under the CSA (the “Caddo County Lawsuit”).

5. On April 14, 2023, Defendant filed an Original Answer in the Harris County Lawsuit. A true and correct copy of Defendant Basin Engineering, LLC’s Original Answer is attached hereto as Exhibit “A-1.”

6. On April 17, 2023, Defendant filed its Notice of Removal in the United States District Court for the Southern District of Texas Houston Division.

7. The claims alleged by Peachridge in the Harris County lawsuit are based, in part, on a Consulting Services Agreement dated June 1, 2021, between Peachrdige and Basin. A true and correct copy of the Consulting Services Agreement is attached hereto as Exhibit “A-2.”

8. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 2nd day of May, 2023.

James M. (“Marty”) Truss